

Order

Michigan Supreme Court
Lansing, Michigan

June 23, 2006

Clifford W. Taylor,
Chief Justice

130748

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

LAURENCE G. WOLF CAPITAL
MANAGEMENT TRUST and LAURENCE
G. WOLF, as trustee and individually,
Plaintiffs-Appellees,

v

SC: 130748
COA: 262721
Oakland CC: 2003-051450-CK

CITY OF FERNDALE, MARSHA
SCHEER, ROBERT G. PORTER, and
THOMAS W. BARWIN,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the December 20, 2005 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other preemptory action. MCR 7.302(G)(1). The parties shall include among the issues to be addressed at oral argument whether the phrase "property damage" in the exception to governmental immunity for proprietary functions, MCL 691.1413, encompasses damages caused by tortious interference with a business relationship or, more generally, encompasses damages other than damage to physical property. The parties may file supplemental briefs within 42 days of the date of this order, but they should avoid submitting a mere restatement of the arguments made in their application papers.

The Michigan Municipal League, the Michigan Townships Association, and the Michigan Association of Counties are invited to file briefs amicus curiae on the issue set forth above. Other persons or groups interested in the determination of that issue may move the Court for permission to file briefs amicus curiae.



d0620

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 23, 2006

Corbin R. Davis

Clerk